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Intellectual Property Law Group

Verizon Corporate Services Group Inc

600 Hidden Ridge Drive
Irving, Texas 75038
MailCode HQE03H14
Phone: 972/718-4800
Fax: 972/718-3946
E-mail:
christian.andersen@verizon.com

To: U.S. Patent and Trademark Office – **From:** Christian R. Andersen
Examiner: B.D. NGUYEN
Group Art Unit: 2661 **Sr. Paralegal – Intellectual Property**

Fax:	703-872-9306	Pages
		with
		13
		Cover:

FORMAL SUBMISSION OF:

- | | |
|--------------------------------------|--|
| 1) Amendment Transmittal; and | 2) Amendment Pursuant to 37 CFR 1.111 |
|--------------------------------------|--|

Title: METHOD AND SYSTEM FOR ESTIMATING PERFORMANCE METRICS IN A PACKET-SWITCHED COMMUNICATION NETWORK
Serial No. 09/677,023
Filing Date: September 29, 2000
First Named Inventor: 99-885

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the above-referenced documents are facsimile transmitted to the Patent and Trademark Office on the date shown below:

Christian R. Andersen

Date of Transmission: August 6, 2004

81742V1

AMENDMENT TRANSMITTAL LETTER				Docket No. 99-885	
Application No. 09/677,023	Filing Date September 29, 2000	Examiner Brian D. Nguyen	Art Unit 2661		
Applicant(s): Donald E. Smith et al.					
Invention: METHOD AND SYSTEM FOR ESTIMATING PERFORMANCE METRICS IN A PACKET-SWITCHED COMMUNICATION NETWORK					
TO THE COMMISSIONER FOR PATENTS					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	20	- 17 =	3	x 18.00	54.00
Independent Claims	5	- 4 =	1	x 86.00	86.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					140.00
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity <input checked="" type="checkbox"/> No additional fee is required for this amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. <u>07-2347</u> in the amount of \$ <u>140.00</u> . A duplicate copy of this sheet is enclosed. <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>07-2347</u> as described below. A duplicate copy of this sheet is enclosed. <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Dated: <u>August 6, 2004</u>					
Joseph R. Palmieri Attorney Reg. No.: 40,750 Verizon Corporate Services Group, Inc. 600 Hidden Ridge Drive Mailcode HQE03H14 Irving, TX 75038 972-718-4800					

Docket No.: 99-885

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In re Application of:
Donald E. Smith et al.

Application No.: 09/677,023

Group Art Unit: 2661

Filed: September 29, 2000

Examiner: NGUYEN, Brian D.

For: **METHOD AND SYSTEM FOR ESTIMATING
PERFORMANCE METRICS IN A PACKET-
SWITCHED COMMUNICATION NETWORK**

OFFICIAL

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT PURSUANT TO 37 CFR 1.111

Dear Sir:

In response to the Office Action dated May 10, 2004 (hereinafter "the Office Action"), Applicants respectfully request reconsideration of the claims for allowance in light of the remarks provided below:

A Complete Listing of the Claims begins on page 3.

Remarks begin on page 9.

Docket No.: 99-885

SUMMARY OF AMENDMENTS**SPECIFICATION**

- There are no amendments to the specification.
 Marked up replacement(s) paragraphs are presented in a separate section.

CLAIMS

- There are no amendments to the claims.
 A complete listing of all claims ever present in this case in ascending order, with status identifiers, is presented in a separate section.